

EXHIBIT M

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AGERE SYSTEMS, INC., CYTEC
INDUSTRIES INC., FORD MOTOR
COMPANY, SPS TECHNOLOGIES, LLC
and TI GROUP AUTOMOTIVE
SYSTEMS, LLC

Plaintiffs,

v.

ADVANCED ENVIRONMENTAL
TECHNOLOGY CORPORATION, et al.,

Defendants.

Civil Action No. 02-CV-3830 (LDD)

**PLAINTIFFS' RESPONSES TO
DEFENDANT HANDY & HARMAN
TUBE COMPANY, INC.'S CONTENTION
INTERROGATORIES**

Plaintiffs Agere Systems, Inc., Cytec Industries Inc., Ford Motor Company, SPS Technologies, LLC and TI Group Automotive Systems, LLC ("Plaintiffs"), by their undersigned attorneys, object and respond to the contention interrogatories of Handy & Harman Tube Company, Inc. ("Defendant") as follows:

GENERAL STATEMENTS AND OBJECTIONS

Plaintiffs hereby incorporate by reference, as if fully set forth herein, the General Statements and Objections contained in Plaintiffs' Responses to the joint contention interrogatories of Advanced Environmental Technology Corporation ("AETC"), Ashland, Inc., Carpenter Technology Corporation, fcg, inc., Handy & Harman Tube Company, Inc. and NRM Investment Company (collectively, "Defendants").

INTERROGATORIES AND RESPONSES

Subject to and without waiving the foregoing General Objections, Plaintiffs make the following responses to the contention interrogatories of Defendant:

1. Do Plaintiffs contend that the "industrial waste solution" discussed by Dr. Kirk Brown during his deposition (*see e.g.* pp. 100-101; 107-108) and referred to in the DeRewal Chemical Company invoice dated February 1973 is a hazardous substance as that term is defined in CERCLA §101(14), 42 U.S.C. §9601(14)?

A. If so, what is the factual basis for Plaintiffs' contention that the "industrial waste solution", discussed by Dr. Kirk Brown during his deposition (*see e.g.* pp. 100-101; 107-108) and referred to in the DeRewal Chemical Company invoice dated February 1973 is a hazardous substance as that term is defined in CERCLA §101(14), 42 U.S.C. §9601(14)?

ANSWER: Plaintiffs object to this Interrogatory to the extent that it seeks information outside the scope of the contentions that Plaintiffs will make as part of their prima facie case at trial. Plaintiffs further object to this Interrogatory because it is vague, confusing and ambiguous. Plaintiffs further object to Defendant's statement that the "industrial waste solution" referenced in the DCC invoice dated February 1973 is identical to the substance(s) discussed by Dr. Brown in the cited pages of his deposition. Plaintiffs further object to this Interrogatory to the extent that it seeks the discovery of the mental impressions, conclusions, strategies, opinions, research or legal theories of their attorneys or other representatives or information protected by the attorney-client privilege or any other applicable privilege. By way of further objection, Defendant's definition of "factual basis" is overbroad and unduly burdensome.

Without waiving any such objections, see Plaintiffs' response to Interrogatory No. 78 of the Defendants' Joint Contention Interrogatories to Plaintiffs.

2. Do Plaintiffs contend that the "industrial waste solution" discussed by Dr. Kirk Brown during his deposition (*see e.g.* pp. 100-101; 107-108) and referred to in the DeRewal Chemical Company invoice dated February 1973 is a hazardous substance as that term is defined in the Pennsylvania Hazardous Sites Cleanup Act, §6020.103?

A. If so, what is the factual basis for Plaintiffs' contention that the "industrial waste solution" discussed by Dr. Kirk Brown during his deposition (*see e.g.* pp. 100-101; 107-108) and referred to in the DeRewal Chemical Company invoice dated February 1973 is a hazardous substance as that term is defined in the Pennsylvania Hazardous Sites Cleanup Act, §6020.103?

ANSWER: See Plaintiffs' Response to Interrogatory No. 1.

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FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

AGERE SYSTEMS, INC., CYTEC
INDUSTRIES INC., FORD MOTOR
COMPANY, SPS TECHNOLOGIES, LLC
and TI GROUP AUTOMOTIVE
SYSTEMS, LLC

Plaintiffs,

v.

ADVANCED ENVIRONMENTAL
TECHNOLOGY CORPORATION, et al.,

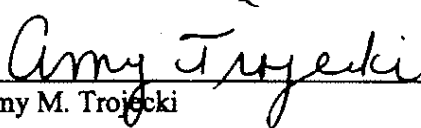
Defendants.

Civil Action No. 02-CV-3830 (LDD)

CERTIFICATE OF SERVICE

I certify that on this day I served a copy of Plaintiffs' Responses To Contention Interrogatories of Handy & Harman Tube Company, Inc. by electronic mail and first-class postage prepaid United States mail, on the counsel listed on the service list.

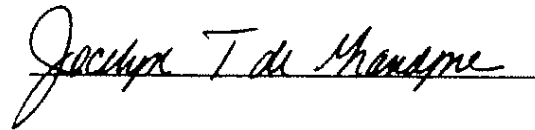
Dated: 4/17/07


Amy M. Trojicki

VERIFICATION

Jocelyn T. de Grandpre, being duly sworn, deposes and says that she is an authorized agent of Agere Systems, Inc., and that she verifies the foregoing responses and objections to Interrogatories to the Plaintiffs from Handy & Harman Tube Company, for and on behalf of Agere Systems, Inc.; that the matters stated therein are not within the personal knowledge of deponent; that the facts stated therein have been assembled by authorized employees and counsel of Agere Systems, Inc.; and deponent is informed that the facts stated therein are true.

Dated: April 13, 2007

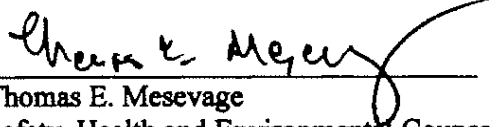
A handwritten signature in cursive script, reading "Jocelyn T. de Grandpre", written over a horizontal line.

VERIFICATION

Thomas E. Mesevage, being duly sworn, deposes and says that he is an authorized agent of Cytec Industries Inc. and that he verifies the foregoing responses and objections to Interrogatories to the Plaintiffs from Handy & Harman Tube Company, Inc., for and on behalf of Cytec Industries Inc.; that the matters stated therein are not within the personal knowledge of deponent; that the facts stated therein have been assembled by authorized employees and counsel of Cytec Industries Inc. and deponent is informed that the facts stated therein are true.

Dated: April 16, 2007

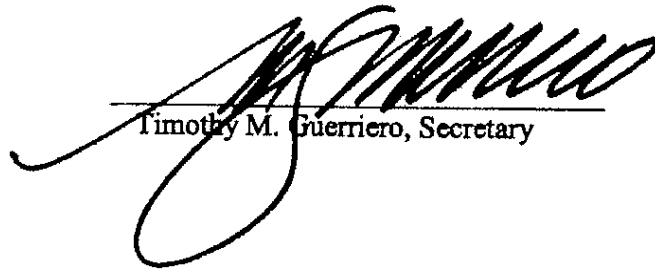
Signature: _____


Thomas E. Mesevage
Safety, Health and Environmental Counsel
Cytec Industries Inc.
5 Garret Mountain Plaza
West Paterson, NJ 07424

VERIFICATION

Timothy M. Guerriero, being duly sworn, deposes and says that he is an authorized agent of TI Group Automotive Systems, L.L.C. and that he verifies the foregoing responses and objections to Interrogatories to the Plaintiffs from Handy & Harman Tube Company, Inc., for and on behalf of TI Group Automotive Systems, L.L.C.; that the matters stated therein are not within the personal knowledge of deponent; that the facts stated therein have been assembled by authorized employees and counsel of TI Group Automotive Systems, L.L.C.; and deponent is informed that the facts stated therein are true.

Dated: April 12, 2007



Timothy M. Guerriero, Secretary

VERIFICATION

Tom Cross, being duly sworn, deposes and says that he is an authorized agent of SPS Technologies, LLC and that he verifies the foregoing responses and objections to the Interrogatories to the Plaintiffs from Handy & Harman Tube Company, Inc., for and on behalf of SPS Technologies, LLC; that the matters stated therein are not within the personal knowledge of deponent; that the facts stated therein have been assembled by authorized employees and counsel of SPS Technologies, LLC and deponent is informed that the facts stated therein are true.

Dated: 12 April 2007

Thomas S. Cross
Vice President

VERIFICATION

Kathryn Lamping, being duly sworn, deposes and says that he is an authorized agent of Ford Motor Company, and that he verifies the foregoing responses and objections to Interrogatories to the Plaintiffs from Handy & Harman Tube Company, Inc., for and on behalf of Ford Motor Company; that the matters stated therein are not within the personal knowledge of deponent; that the facts stated therein have been assembled by authorized employees and counsel of Ford Motor Company and deponent is informed that the facts stated therein are true.

Dated:



Kathryn S. Lamping
Assistant Secretary

EXHIBIT N

LAW OFFICES
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May 7, 2007

Via E-Mail and U.S. Mail

Melissa Flax, Esquire
Carella, Byrne, Bain, Gilfillian, Cecchi, Stewart
& Olstein, P.C.
5 Becker Farm Road
Roseland, NJ 07068-1739

Re: Agere Systems, Inc., et al. v. Advanced Environmental Technology Corp.,
et al.;
Civil Action No. 02-CV-3830 (LDD)

Dear Melissa:

This letter is in response to your April 30, 2007 letter with respect to Plaintiff's responses to Handy & Harman's contention interrogatories to Plaintiffs. Plaintiffs refer Handy & Harman to their May 7, 2007 letter in response to Defendants' April 30, 2007 deficiency letter concerning the joint contention interrogatories, especially to the "Scope of Discovery" section. The following addresses your concerns with the Interrogatories as set out in April 30, 2007 letter:

Interrogatories 1 and 2

These interrogatories ask whether Plaintiffs contend that the "industrial waste solution" discussed by Dr. Brown during his deposition and referred to in the February 1973 DCC invoice is a hazardous substance under CERCLA and IISCA. Plaintiffs objected to these interrogatories to the extent that Handy & Harman attempted to use its expert's deposition testimony to characterize Plaintiffs' contentions. Plaintiffs may state their contentions in language of their choosing, not in language dictated by Handy & Harman.

Melissa Flax, Esquire
May 7, 2007
Page 2

Nonetheless, Plaintiffs responded to these interrogatories by referring Handy & Harman's to their response to Interrogatory No. 78 of the Defendants' joint contention interrogatories. This response provides that Plaintiffs will contend that 5,899 gallons of hazardous wastes from Handy & Harman were disposed of at the Site and the bases for this contention. The February 1973 DCC invoice, which references "industrial waste solution," is included among the list of the documents that Plaintiffs will rely upon to prove this contention. Therefore, it is clear and Handy & Harman has known for quite some time that Plaintiffs have included the amounts of "industrial waste solution" referenced in the February 1973 invoice among the total volume of Handy & Harman hazardous substances that Plaintiffs contend was disposed of at the Site. Plaintiffs' bases for this contention are included in its response to Interrogatory No. 78 of the Defendants' joint contention interrogatories.

Plaintiffs withdraw all references to deposition testimony of Messrs. Crawford and McElya in its response to the Defendants' joint contention interrogatories.

Very truly yours,


Amy M. Trojecki

cc: Counsel on Attached Service List
AMT/cdg

EXHIBIT O

ORIGINAL TRANSCRIPT

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AGERE SYSTEMS, INC., CYTEC
INDUSTRIES, INC., FORD MOTOR
COMPANY, SPS TECHNOLOGIES, LLC,
and TI GROUP AUTOMOTIVE
SYSTEMS, LLC
Plaintiffs

v

CIVIL ACTION NO.
02-CV-3830 (LDD)

ADVANCED ENVIRONMENTAL
TECHNOLOGY CORPORATION, ET AL.
Defendants

Oral deposition of JURGEN
H. EXNER, Ph.D., taken at the law
offices of Ballard Spahr Andrews &
Ingersoll, LLP, 1735 Market Street,
42nd Floor, Philadelphia,
Pennsylvania, on Tuesday, January 9,
2007, at 10:07 a.m., before Jennifer
Bermudez, a Registered Professional
Reporter, and Notary Public, pursuant
to notice.



James DeCrescenzo Reporting, LLC

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PHONE

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DEPOSITION OF JURGEN H. EXNER, Ph.D., 1/9/07

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DEPOSITION OF JURGEN H. EXNER, Ph.D., 1/9/07

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DEPOSITION OF JURGEN H. EXNER, Ph.D., 1/9/07

1 Q. With respect to the wastes
2 generated by the Handy & Harman
3 facility, did you form an opinion as
4 to whether or not the wastes
5 generated from the Handy & Harman
6 facility was transported to and
7 disposed of at the Boarhead Farms
8 site?

9 A. No.

10 Q. In connection with your
11 assignment for plaintiffs in this
12 matter, were you asked to form an
13 opinion as to the contribution of
14 contamination at the Boarhead Farms
15 site attributed to Handy & Harman?

16 A. No.

17 Q. Other than restating the
18 facts as compiled from the various
19 documents that you reviewed, what
20 part of your training or experience
21 assisted you in the preparation of
22 the portion of Exner 1 relating to
23 Handy & Harman?

24 A. My general experience in



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DEPOSITION OF JURGEN H. EXNER, Ph.D., 1/9/07

1 quantities of the rinsates would be
2 generally much larger than the
3 quantities of the pickling liquors,
4 all of which had to be disposed of.

5 BY MS. FLAX:

6 Q. But in order to determine
7 the volume of the pickling liquor or
8 the rinsates, wouldn't you need to
9 know the volume of manufacturing
10 operations?

11 A. Yes.

12 Q. Do you have any information
13 regarding the volume of Handy &
14 Harman's operations?

15 A. No.

16 Q. In connection with the
17 portion of Exner 1 relating to Handy
18 & Harman, how has your professional
19 experience in process development
20 assisted you?

21 A. I have actually operated
22 chemical processes and have seen how
23 operators deal with certain
24 situations involving waste



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DEPOSITION OF JURGEN H. EXNER, Ph.D., 1/9/07

1 knowledge, no.

2 Q. Have you ever worked with
3 Western Electric prior to this
4 litigation?

5 A. No.

6 Q. Have you ever worked with
7 Lucent prior to this litigation?

8 A. No.

9 Q. Have you ever worked with
10 Ford Motor Company or any of its
11 affiliates before this litigation?

12 A. No.

13 (Exner Exhibit 8 was marked
14 for identification.)

15 BY MS. FLAX:

16 Q. Dr. Exner, I'm going to
17 show you Exner 8, and I'm just going
18 to ask you to read into the record
19 your handwritten notes, because I
20 don't want to guess what they say,
21 regarding it looks like Brown - Handy
22 & Harman.

23 Can you do that for me?

24 A. It says, "Brown - Handy &



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DEPOSITION OF JURGEN H. EXNER, Ph.D., 1/9/07

1 Harman states what other companies
2 produced, 20 drums industrial waste,
3 nonhazardous, chromium, nickel, TCE,
4 manganese. Agreement - Carpenter.
5 Merit - arsenic, leads, zinc, PCE in
6 soil."

7 Q. And in the margin?

8 A. "Okay supports."

9 Q. Do you know what you meant
10 by "okay supports," if they are
11 supposed to be read together?

12 A. Yes. I had skimmed the
13 report by Brown that we talked about
14 earlier, the defendant's report, and
15 basically concluded that there was
16 nothing in there that changed my
17 opinion.

18 MS. FLAX: I would like to
19 check my notes, but other than the
20 one pending question that I need
21 Dr. Exner to look at --

22 MR. HARRIS: Do you need
23 him to look through the second
24 report?



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DEPOSITION OF JURGEN H. EXNER, Ph.D., 1/9/07

1 I'm going to be asking you some
2 questions, and my partner, Richard
3 Biedrzycki, may have some to follow
4 up.

5 The first question that I
6 have for you is, are all the opinions
7 that you expect to give in this case
8 expressed in the report that's been
9 identified today?

10 A. Yes.

11 Q. And I want to ask you a
12 question about one of the previous
13 exhibits, Exner 6, which was an
14 e-mail to Mr. Harris, if you have
15 that.

16 On the first page,
17 actually, the first sentence, it
18 says, "Need to revise Ashland."
19 Could you explain what you meant by
20 that?

21 A. Yes, I see that. In my
22 initial work on the Ashland waste I
23 had done very little on waste
24 resulting from dyes because there was



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DEPOSITION OF JURGEN H. EXNER, Ph.D., 1/9/07

1 or rigid?

2 A. Right.

3 Q. And in your experience with
4 the fields of hazardous waste
5 management and hazardous waste site
6 investigation and remediation, have
7 you been involved in a case or with a
8 site where flexible or rigid
9 electronic circuits were in some way
10 involved?

11 A. No.

12 Q. Now, in Section 2 of your
13 report, also on the first page, you
14 will see in the very first paragraph
15 under the heading No. 2, Statement
16 and Basis of Opinions, you have a
17 second sentence that describes your
18 use of information and experience to
19 estimate the approximate composition
20 of waste streams.

21 And I want to focus your
22 attention on the word "estimate" and
23 on the word "approximate."

24 Is it the case that you



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DEPOSITION OF JURGEN H. EXNER, Ph.D., 1/9/07

1 were asked by plaintiffs' counsel in
2 this matter to estimate the
3 composition of waste streams?

4 A. I was asked to tell them
5 what kinds of wastes were likely to
6 have been produced by specific
7 operations at different companies.

8 That's basically my writing
9 to say that I estimated the
10 composition that might be expected
11 based on the information that's
12 available in the absence of specific
13 analytical work.

14 Q. And the answer you just
15 gave may cover this next question, so
16 I apologize if I'm being redundant,
17 but were you asked to provide
18 opinions as to approximate
19 compositions of waste streams?

20 A. I don't think so. I was
21 just asked to tell them what kinds of
22 wastes would have been produced.

23 Q. Okay. And the answer you
24 gave one answer ago, was that your



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DEPOSITION OF JURGEN H. EXNER, Ph.D., 1/9/07

1 Company back in its prior form was
2 National Rolling Mills. This was the
3 NRM matter that you were dealing with
4 in your report.

5 I want to begin by finding
6 out what particularly you were
7 employed to do as far as my client
8 was concerned.

9 I'm looking at Page 1 of
10 your report in Paragraph 2, and I
11 will ask you if that includes the
12 entire scope of why you were employed
13 to write a report which included
14 NRM?

15 A. To review documents that
16 were provided and to make an
17 assessment as to the types of wastes
18 that would have been produced.

19 Q. When you were testifying to
20 Mr. Cooley, you used the expression
21 the kinds or composition of wastes.
22 Does that pretty much summarize what
23 you were employed to do for NRM?

24 A. Yes.



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DEPOSITION OF JURGEN H. EXNER, Ph.D., 1/9/07

1 Q. Were you employed to do
2 anything else for NRM?

3 A. No. It was the same thing
4 for all of these.

5 Q. The reason I ask that, I
6 noticed that in your report, and I
7 think NRM is treated on Pages 7 and
8 8, and in particular at the top of
9 Page 8, that you get into the subject
10 of volume as opposed to kind or
11 composition.

12 I was wondering why you did
13 that. Do you see where I'm referring
14 to, the first incomplete paragraph on
15 the top of Page 8, the last three
16 lines there?

17 A. When it was specifically
18 mentioned by somebody, I would pick
19 up volume.

20 Q. Did you do that with
21 respect to all of the factories that
22 you reviewed or just NRM?

23 A. I think when there was
24 specific information, I did.



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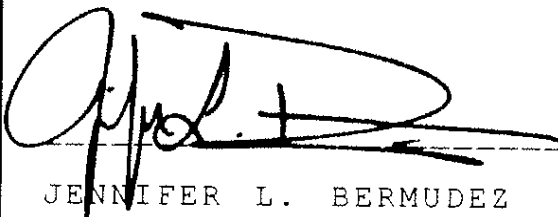
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CERTIFICATION

I, JENNIFER L. BERMUDEZ, a Court Reporter in and for the Commonwealth of Pennsylvania, hereby certify that the foregoing is a true and accurate transcript of the deposition of said witness who was first duly sworn by me on the date and place hereinbefore set forth.

I FURTHER CERTIFY that I am neither attorney nor counsel for, nor related to or employed by, any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed in this action, nor am I financially interested in this case.



JENNIFER L. BERMUDEZ

Court Reporter and Notary Public



James DeCrescenzo Reporting, LLC

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EXHIBIT P

Carpenter

Hee

$$pH = -\log[H^+]$$

$$N = \frac{M}{2}$$

is there
a difference

Alink - metals are diluted ; acid is neutralized
metals can be mobilized by other acids
+ ammonia

Ashland - Short

BrO_4^- " chromic acid
↳ less mobile in acid ?

may not have localized, may get channeling

$NO_2 Ph CH_3$
as complex
agents

Pearse - Flexible + Etched

" assumptions + misrepresentative

22 plated Ni - did not
have soldering - " "

Stallsteimer
Ni in tank
discharge 1972

23 proc. in 1983 -

1971 pH 3.4 no ref. - Buck report
1990

volume of waste - every 2 weeks
ignored discharges

or 66 mg/L in 1979 -

20.01 - 0.46 3 analyses in 72-76 period

conc. + dil were being disposed of - recycle
55 gal/mo TCE

H_2SO_4 ; Sn, Pb - no ref.

processes
did not
change (etched)

Brown - Handy + Harmon

states what other cos. produced

~~ignores TCE~~ 20 drums ind. waste (non-haz)

Cr, Ni, TCE, Mn

agreement - Carpenter

Merit - As, Pb, Zn, PCE in soil

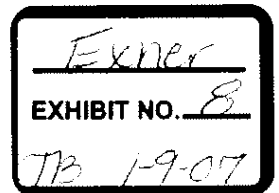


EXHIBIT Q

ORIGINAL TRANSCRIPT

VOLUME I
IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AGERE SYSTEMS, INC., CYTEC
INDUSTRIES, INC., FORD MOTOR
COMPANY, SPS TECHNOLOGIES LLC
and TI GROUP AUTOMOTIVE SYSTEMS
LLC

Plaintiffs

V

CIVIL ACTION
NO. 02-CV-3830 (LDD)

ADVANCED ENVIRONMENTAL
TECHNOLOGY CORPORATION, ET AL.
Defendants

Oral deposition of JAY
VANDEVEN, taken at the law offices of
Ballard Spahr, Andrews & Ingersoll,
LLP, 1735 Market Street, 42nd Floor,
Philadelphia, Pennsylvania, on
Tuesday, February 13, 2007, at
9:59 a.m. before Jennifer Bermudez, a
Registered Professional Reporter, and
Notary Public, pursuant to notice.



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DEPOSITION OF JAY VANDEVEN, VOLUME I, 2/13/07

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33 EXAMINATION INDEX

34 JAY VANDEVEN
BY MS. FLAX
BY MR. PETTIT

6
129



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1 A. Okay.

2 Q. You have had an opportunity
3 to read Page 53, line 20 through Page
4 55, line 14 of the deposition of
5 Mr. Curran. Is that correct?

6 A. Yes.

7 Q. I am going to represent to
8 you that Mr. Curran was an employee
9 of Handy & Harman Tube Company, just
10 so that you know that when I ask you
11 about Handy & Harman's industrial
12 wastes that's why I'm asking you,
13 because you have now read testimony
14 from Mr. Curran. Okay?

15 A. Okay.

16 Q. Is there anything in
17 Mr. Curran's testimony that suggests
18 that the industrial waste solution
19 that he describes contains any
20 hazardous material?

21 MR. HARRIS: Hold on a
22 second. He's not being offered as an
23 expert -- he's not here to give an
24 opinion as to what was in Handy &



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1 Harman's waste, so that's not a
2 proper question.

3 MS. FLAX: Are you
4 directing him not to answer?

5 MR. HARRIS: I might. I'm
6 trying to figure out where you are
7 going with this. He is not going to
8 offer an opinion in this case as to
9 what was in Handy & Harman's waste.
10 That is not in his report. He's not
11 here to form new opinions.

12 If you are about to ask him
13 to give an opinion as to what was in
14 Handy & Harman's waste, then that's
15 an improper question.

16 MR. PETTIT: Glenn, can I
17 just say something, because --

18 MR. HARRIS: Yes. I'm not
19 trying to be --

20 MR. PETTIT: You ought to
21 clarify this, because as Melissa
22 pointed out in her questioning, in
23 rebuttal opinion he adopts
24 Dr. Exner's descriptions of the



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1 record.)

2 MS. FLAX: I am not asking,
3 Glenn, for him to give an opinion.

4 I was asking whether
5 reviewing Mr. Curran's testimony
6 regarding the industrial waste
7 solution that was generated at the
8 Handy & Harman facility whether based
9 upon that description he considered
10 that waste to be a hazardous waste.

11 MR. HARRIS: I don't think
12 he had an opinion as to that waste.
13 That's my point.

14 MS. FLAX: And he is not
15 going to offer an opinion as to --

16 MR. HARRIS: Other than
17 what he says about the TCE sludge.

18 MS. FLAX: Other than the
19 degreaser sludge?

20 MR. HARRIS: Sure. He is
21 not going to take the stand and say
22 it is my opinion that X, Y and Z is
23 in Handy & Harman's industrial waste
24 sludge.



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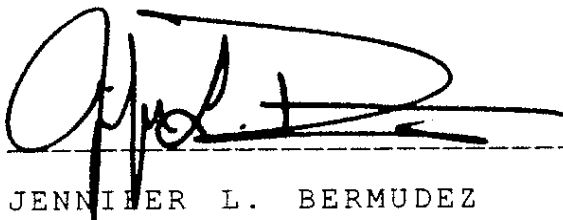
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CERTIFICATION

I, JENNIFER L. BERMUDEZ, a Court Reporter in and for the Commonwealth of Pennsylvania, hereby certify that the foregoing is a true and accurate transcript of the deposition of said witness who was first duly sworn by me on the date and place hereinbefore set forth.

I FURTHER CERTIFY that I am neither attorney nor counsel for, nor related to or employed by, any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed in this action, nor am I financially interested in this case.



JENNIFER L. BERMUDEZ

Court Reporter and Notary Public



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